

Mullins, Donna

From: Nethery, William R MVN <William.R.Nethery@usace.army.mil>
Sent: Wednesday, August 06, 2014 7:16 AM
To: Henson, Tucker; Murdock, Russell
Cc: Mullins, Donna
Subject: RE: Paco Swain LPEE (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

No, the site has not completely remediated itself, he must have only heard a fourth of what I actually said. I was explaining it to Tim Kimmel, who was supposed to submit a revised restoration plan but didn't. There is a lot of pine and native hardwoods coming back on the site, which is very good. There is a very lengthy mound that must be knocked down or removed from the wetlands, we only visited it in a couple of places. They need to determine if the ditches that were dug are still effective, some of them have silted in quite a bit. They need to plug them or fill them or somehow render them ineffective if they are still draining wetlands on the site.

Other than restoring contours and plugging ditches in a portion of the wetlands on the site, they need to document what's growing back there. Additionally, they need to do some Chinese Tallow control, which is fairly typical in that area. Then they can plant the bare spots and interplant the rest of the wetland to supplement the native recruitment that is already established.

So, yes it is partly self-restored, but by no means completely self-restored. They still need to submit a revised plan and they actually have to implement the plan for me to consider it restored. All that said, if someone else comes along to do a project there, they will mitigate the pre-disturbance, mature forested wetland (oak flats), not the scrub-shrub newly established wetland.

And we never got to Equestrian Estates, there are new wetland impacts there since I last visited the site. I haven't issued any new C&Ds, but my guess is we'd insist that he permit and mitigate the whole site, since all the ditches he cut make it nearly impossible to restore hydrology to most wetlands on the site. Mr. Morgan was under the impression that the new owners are responsible, but we would not likely allow Mr. Swain to piecemeal the project.

Thanks again for keeping me in the loop, Bill

William R. Nethery
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-----Original Message-----

From: Henson, Tucker [mailto:Henson.Tucker@epa.gov]
Sent: Tuesday, August 05, 2014 3:52 PM
To: Murdock, Russell
Cc: Mullins, Donna; Nethery, William R MVN

Subject: [EXTERNAL] Paco Swain LPEE

Russell-Bob Morgan finally called back. Tomorrow isn't going to work, so it looks like next Wednesday. Do you have any conflicts Wednesday morning? Also, he is apparently going to supplement with more financial info for this year. We can discuss assets and accounts on Wednesday.

Donna-You are welcome to join the call. Any conflicts Wednesday morning?

Bill-Bob claimed that you visited the site and, "aside from a couple of mounds," the site "has remediated itself" with new growth. Is that anywhere close to your impression from your visit?

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